

ENTERED

January 18, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

DANE FRANCISCO DELGADO,
Petitioner,

V.

UNITED STATES OF AMERICA,
Respondent.

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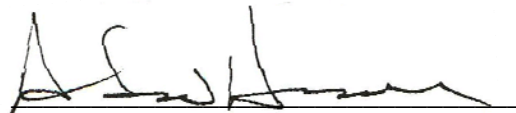
CIVIL ACTION NO. B-16-132
CRIMINAL NO. B-14-008-1

ORDER

On December 9, 2016, the United States Magistrate Judge filed an Amended Report and Recommendation [Doc. No. 16]. No objections have been lodged by either side and the time for doing so has expired.

Having reviewed all of the pleadings and the Amended Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Magistrate Judge's Report and Recommendation is hereby adopted. Therefore, Petitioner Dane Francisco Delgado's Motion to Vacate, Set Aside or Correct his Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is denied as meritless. The Government's motion for summary judgment [Doc. No. 13] is granted. Further, Court denies the issuance of a Certificate of Appealability.

Signed this 17th day of January, 2017.



Andrew S. Hanen
United States District Judge